

12/04/01
J1129 U.S. PTO

12-10-01

Docket # PF-0475-2 DIV

A

"Express Mail" mailing label number EL 856 173 635 US I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated and is addressed to: Box Patent Application, United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on 12/4/01.

By: Nancy Ramos

Printed: Nancy Ramos

10/006163
JC956 U.S. PTO
12/04/01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)**

Box Patent Application
United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

This is a request for filing a **DIVISIONAL** application under 37 CFR 1.53(b) of pending prior application Serial No. 09/249,241, filed February 11, 1999, which is a divisional application of U.S. application Serial No. 09/019,216, filed February 5, 1998, which issued on July 27, 1999 as U.S. Patent No. 5,928,923, both entitled HUMAN SHORT-CHAIN DEHYDROGENASE.

1. Enclosed is a specification corresponding to the prior application, U.S. application Serial No. 09/249,241, filed February 11, 1999, which is a divisional application of U.S. application Serial No. 09/019,216, filed February 5, 1998, which issued on July 27, 1999 as U.S. Patent No. 5,928,923, including the oath or declaration as originally signed. The specification does not contain any subject matter that would have been new matter in the prior application.

2. With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant divisional application is identical with the computer readable form filed with application Serial No. 09/019,216, filed February 5, 1998, to which priority is claimed. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed with U.S. Application Serial No. 09/019,216 as the computer readable form for the instant divisional application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant divisional application.

3. Cancel in this application original claims 2-10, 13-29, 46-55 and 57 before calculating the filing fee, without prejudice or disclaimer. Applicants submit that these claims were included in the application as filed in the interest of providing notice to the public of certain specific subject matter intended to be claimed, and are being canceled at this time in the interest of reducing filing costs. Applicants expressly state that these claims are not being canceled for reasons related to patentability, and are in fact fully supported by the specification as filed. Applicants expressly reserve the right to reinstate these claims or to add other claims during prosecution of this application or a continuation or divisional application. Applicants expressly do not disclaim the subject matter of any invention disclosed herein which is not set forth in the instantly filed claims.
4. The inventor(s) of the invention being claimed in this application is (are): Preeti Lal and Neil C. Corley.
5. In accordance with 37 CFR 1.63(d) a copy of the originally signed declaration showing applicant's/applicants' signature(s) as filed on July 8, 1998 is enclosed.
6. Amend the specification by inserting after the title: "This application is a divisional application of U.S. application serial number 09/019,216, filed February 5, 1998, all of which applications and patents are hereby incorporated herein by reference."
7. The filing fee is calculated below:

Claims	Number Filed	Minus Number Extra		Other Than Small Entity Rate	Fee	Basic Fee
Total Claims	20	-20	0	x \$18		\$740.00
Indep. Claims	3	-3	0	x \$84		\$0
<u>Multiple Dependent Claim(s), if any</u>					+ \$280	\$0

TOTAL FILING FEE \$ 740.00

8. An extension of time in the above-named prior application has been requested and the fees therefore have been authorized in said application.
9. Please charge Deposit Account No. 09-0108 in the amount of \$ 740.00.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 09-0108.

A **duplicate** copy of this Request is enclosed.

10. Submission of Formal Drawings (2 pp.) and five (5) sheets of Formal Drawings (Figs. 1A, 1B, 1C, 1D and 2) are enclosed.
11. The prior application is assigned of record to Incyte Pharmaceuticals, Inc., recorded on July 16, 1998, at reel 9324 /frame 0338.
12. A preliminary amendment is enclosed.
13. Also enclosed: Return Postcard; copy of previously submitted Revocation and Power of Attorney (2 pp.); Information Disclosure Statement (2 pp.); and List of References Cited by Applicants (PTO-1449) (2 pp.).
14. The power of attorney of the prior application is to:

Lucy J. Billings	Reg. No. 36,749
Jenny Buchbinder	Reg. No. 48,588
Michael C. Cerrone	Reg. No. 39,132
Diana Hamlet-Cox	Reg. No. 33,302
Richard C. Ekstrom	Reg. No. 37,027
Barrie D. Greene	Reg. No. 46,740
Lynn E. Murry	Reg. No. 42,918
Shirley A. Recipon	Reg. No. 47,016
Cathleen M. Rocco	Reg. No. 46,172
Susan K. Sather	Reg. No. 44,316
Michelle M. Stempien	Reg. No. 41,327
David G. Streeter	Reg. No. 43,168
Sreenivasarao Vepachedu	Reg. No. 46,395

The associate power of attorney in the prior application is to:

- a. An associate power of attorney is attached.
- b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. X Address all future correspondence to:

INCYTE GENOMICS, INC.
PATENT DEPARTMENT
3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555, Fax: (650) 845-4166

Date: 4 Dec 2001

By: Diana Hamlet-Cox
Diana Hamlet-Cox
Reg. No. 33,302
Direct Dial Telephone: (650) 845-4639

- Inventor(s)
 Assignee of complete interest
 Attorney or agent of record
 Filed under 37 CFR 1.34(a)
Registration number if acting under 37 CFR 1.34(a) _____.

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on 12/4/01.

By: Nancy Ramos

Printed: Nancy Ramos



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lal, et al.

Title: HUMAN SHORT-CHAIN DEHYDROGENASE

Serial No.: To Be Assigned Filing Date: Herewith

Examiner: To Be Assigned Group Art Unit: To Be Assigned

Official Draftsman

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

SUBMISSION OF FORMAL DRAWINGS

Sir:

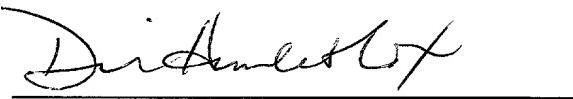
Transmitted herewith are Figure(s) 1A, 1B, 1C, 1D and 2, as five (5) sheets of formal drawings for this application. Each sheet of drawing indicates the identifying indicia suggested in 37 CFR Section 1.84(c) on the top of the drawing.

Applicants believe that no fee is due with this paper. However, if the Commissioner determines that a fee is necessary, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. **09-0108**.

If there are any questions regarding the above, the Examiner is invited to call the undersigned at 650-855-0555.

Respectfully submitted,
INCYTE GENOMICS, INC.

Date: 4 Dec 2001



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